

ATTACHMENT #3

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE
PERSONNEL SERVICES ADMINISTRATION
GUIDELINES**

HIRING SPP CONTRACT AND TEMPORARY EMERGENCY EMPLOYEES

These guidelines apply to all SPP contract hiring. The guidelines are to be applied before any contract is signed or processed. These guidelines also apply to Temporary Emergency (EM) appointments.

All hiring above base salary must be predicated upon demonstrated recruitment difficulty and a justifiable need to offer such salary amount. When hiring above base salary, no other candidate, qualified as defined by the job specifications, with comparable job related expertise/abilities who would accept a lower salary level (step) can be available. While we are not compelled to offer the position to the low bidder applicant who may not be the best suited applicant in terms of job related skills, knowledge, abilities/expertise, we are required to justify why any particular above base salary offer is reasonable and should be approved, even if only one applicant is available for the position.

All contract positions should be publicly solicited/advertised (newspaper ad recommended - a sample ad is attached) in order to attract an applicant pool. The hiring manager or designee in determining what is a reasonable salary level for a particular applicant must relate the applicant's requested salary level/step to their present or most recent salary and/or any valid, active, competing salary offer being entertained by the applicant. It is reasonable that some applicants will not change employers unless they are offered a greater salary than that received at one's present or most recent employer.

In general, it is reasonable under these guidelines that up to an approximate 12% salary increase over present or most recent salary may be necessary to attract a candidate. Please note that salary as an EM employee is not to be considered as "most recent salary." It is also recognized under these guidelines that it may be necessary to meet or approximate but not exceed one's active salary offer from elsewhere to make a successful job offer. These statements constitute the guideline salary offer limits. It is appropriate in the salary negotiation process for the hiring manager to request that an applicant state, in writing, the lowest salary the applicant would accept and why, in relation to the applicant's salary history/job competing job offer(s). A form is attached that must be used to obtain the minimum salary levels of all "qualified" applicants.

Hiring managers should note that above base hiring, at any step level, is not automatically authorized to offset a lack of benefits in contractual or Temporary Emergency employment.

Hiring managers should also note that an above base salary level, approved under contract employment or Temporary Emergency (EM) Appointment, cannot be guaranteed when any employee is appointed to a permanent position (PIN).

A hiring manager, with the advice of the field Personnel Officer; or, the Contracts Unit (for SPP only) of the Personnel Services Administration, may authorize a salary level up to and including step 8 of the salary grade provided the salary does not exceed the salary offer limits per these guidelines and meets the current Fiscal Exclusions set by the Department of Budget and Management.

Salary offers exceeding salary offer limits per these guidelines requires demonstrated public solicitation to recruit/attract applicants via recent newspaper help wanted ad(s); and a statement from the hiring manager as to why additional recruitment/advertising cannot or should not be undertaken; and requires the approval of the Program Director, Facility Director, or Local Health Officer prior to signing/submitting contract or processing an EM appointment.

The Program Director, Facility Director, or Local Health Officer, with the advice of the field Personnel Officer; or, the Contracts Unit (for SPP only) of the Personnel Services Administration, may authorize a salary level within the salary grade that exceeds the guideline salary level when he/she determines that a reasonable effort has been made to recruit/attract applicants; and determines that such salary offer is in the State=s best interest as relates to service quality, efficiency, and/or expediency.

Any and all of these salary and recruitment guidelines may be waived in the name of departmental "Emergency Preparedness" or "Emergency Response" when such circumstance clearly exists, and the DHMH Director, Personnel Services Administration concurs with the requesting Program Director, Facility Director, or Local Health officer on the need for such a waiver.

Note Following these guidelines will result in a contract that meets all requirements;
For SPP however, managers and employees should be aware the contract is not official
only: until it is reviewed and approved by the appropriate control agencies.

The DHMH 1819 form should only be used for contractual appointments. The request for Temporary Emergency Appointment form with revised attachment should be used for emergency appointments.

Also attached is a condensed, summary version of the guidelines which may be useful.

Attachments